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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

7-1

MEETING DATE August 28, 2005	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT Jeff Marsden	FILE NO. DRC 2004-00110
SUBJECT A request for 131,000-square foot recreational vehicle (RV) and personal property storage facility that includes 13 storage structures that equal 68,397 square feet of enclosed storage units, one 3,750-square foot office, and fifteen parking spaces, which will result in the disturbance of the entire 3.0-acre parcel. The project will result in the disturbance of approximately 3.0 acres the entire parcel. The proposed project is within the Industrial land use category and is located on the southeastern corner of Monterey and Wellsona Roads, approximately 600 feet east of Highway 101, north of the City of Paso Robles. The site is in the Salinas River planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Conditional Use Permit DRC2004-00110 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 14, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, biology, public service and, water and are included as conditions of approval.			
LAND USE CATEGORY Industrial	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 027-321-024 and 025	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Industrial- Limitation of Use, Level of permit			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban / Scattered residences and storage <i>East:</i> Residential Suburban / Scattered residences, UPRR, day care facility, and accessory agriculture <i>South:</i> Industrial /electric service facility <i>West:</i> Commercial Service and Residential Suburban / undeveloped			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CDF, Department of Fish, and Game and Cal Trans	
TOPOGRAPHY: Gently sloping	VEGETATION: Grasses, forbs, valley oak trees and eucalyptus trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: May 10, 2005

PROJECT ANALYSIS

This project is large Recreation Vehicle and personal storage facility in an Industrial area that is not visible from Highway 101. The site is adjacent to residential land to the north and east. The area is characterized by mixed industrial and residential uses. The closest residential site is at least 150 feet away across the railroad tracks.

ORDINANCE COMPLIANCE

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	None	3 acres
Setbacks	Front: 25 feet Street side: 15 feet with adjustment approved by CDF. Interior side: 15 feet Rear: 0 feet	Front: 25 feet Street side: 5 feet with adjustment approved by CDF. Interior side: 5 feet with adjustment approved by CDF Rear: 0 feet
Height	35 feet	17 feet
Parking	15 parking spaces	15 parking spaces
Signs	100 square feet per site	Project is conditioned to meet this standard

Side Setback Adjustment: An adjustment to the side setback may be granted where approved by California Department of Forestry (CDF). An adjustment is granted when the setback adjustment allows the same degree of accepted fire suppression strategies, tactics, and fire fighter safety. CDF has approved this setback adjustment based on these findings.

Landscaping: The applicant shall submit and implement a final landscape plan that shows the planting of fast growing evergreen drought tolerant large scrubs and trees and twenty replacement live oak trees in compliance with Section 22.16 of the Land Use Ordinance.

Fencing and Screening: This project is required to be screened on all sides by a solid wall or fencing. This project is conditioned to meet this standard.

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ENVIRONMENTAL DETERMINATION

Visual - Based on the proposed site location and intervening topography, the proposed facility would not be visible to travelers on Highway 101. Due to the existing mixed use and industrial character of the Wellsona Road and Monterey Road area, development of the facility would not significantly alter the visual character of the area. The original proposal included blue colored fencing that would not blend with the surrounding landscape. The applicant has agreed to modify the fencing color to a dark brown or green and to plant drought-tolerant, fast growing, evergreen trees and shrubs.

Biological - This site is located in San Joaquin kit fox habitat. The applicant has agreed to mitigate the impact of developing in the San Joaquin kit fox habitat by paying the Nature Conservancy \$22,500 based on \$2,500 an acre for three acres of disturbance at 3 to 1 mitigation ratio. Finally, development of this site is will require the removal of five valley oak trees. In addition to replanting 20 oak trees, State Bill SB1334 requires that either a fee be paid to an oak preservation/restoration fund or provide a conservation easement. The county is currently in the process of developing a standardized process in which to provide these alternatives. In the interim, the county is requiring applicants to pay \$825 for each oak tree removed to a county approved entity/program or the Oak Woodlands Conservation Fund.

Drainage - The Salinas River is approximately 650 feet away from the site. To protect the Salinas River, a drainage plan is required to ensure hydrocarbons do not leave the site and sedimentation and erosion control plan are conditions of this permit. The applicant is also required to submit a copy of a Stormwater Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board (RWQCB) and/or State Water Resources Control Board (SWRCB).

PLANNING AREA STANDARDS:

Limitation on Use – Allowable uses are limited to those in the Manufacturing and Processing group of the Allowable Land Use table of the Land Use Ordinance. The proposed use, Warehousing, falls within this group.

Permit Requirement – A Minor Use Permit is required for all proposed uses unless a Conditional Use Permit is required. A Conditional Use Permit is required for this project because of the size of the proposed project.

COMBINING DESIGNATIONS: None

COMMUNITY ADVISORY GROUP COMMENTS: There is no Community Advisory Group for this area.

AGENCY REVIEW:

Public Works-Drainage plan and calculations

CDF – Fire safety letter dated March 23, 2005

Department of Fish and Game – 3 to 1 mitigation for San Joaquin kit fox

Cal Trans - no response

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LEGAL LOT STATUS:

A recorded map legally created the two lots.

Staff report prepared by Elizabeth Kavanaugh and reviewed by Kami Griffin, Supervising Planner.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 14, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, biology, public service, and water and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the recreation vehicle storage and personal storage does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the recreation vehicle storage and personal storage is similar to other industrial uses in the area, and will not conflict with the residential uses of the area.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on the corner of Wellsona Road and Monterey Road, two collector roads constructed to a level able to handle any additional traffic associated with the project. In addition, the applicant completed a traffic study that stated the traffic generated by this project will not impact the intersection of Highway 101 and Wellsona Road.
- G. The proposed recreation vehicle and personal storage facility will not be visible from a Highway 101 because topography of the sites between the project site and Highway 101, along with the building heights of 17 feet make this project invisible from Highway 101.
- H. Waiver of Land Use Ordinance Section 22.10.140 to allow this recreation vehicle and personal storage facility to have a 5 foot street side setback is justified because the site would provide the same degree of accepted fire suppression strategies, tactics, and fire fighter safety with a 5 foot setback as with a 30 foot setback, which makes the standard unnecessary.

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EXHIBIT B - CONDITIONS OF APPROVAL
Marsden Conditional Use Permit DRC 2004-00110

Approved Development

1. This approval authorizes
 - a. a 131,000-square foot recreational vehicle (RV) and personal property storage facility that includes 68,397 square feet of enclosed storage units, one 3,750-square foot office, and fifteen parking spaces, which will result in the disturbance of the entire 3.0-acre parcel.
 - b. maximum height of 18 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, the applicant shall submit a revised site plan and architectural elevations to detail exterior finish fence materials, colors, and height above finish grade on all sides of proposed buildings and a landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. The following set backs, 25 feet front, 5 feet north side, 5 south side, and 0 feet rear set back.
 - b. A revised fencing plan showing the use of solid dark brown or green metal fencing along the perimeter of the project site. The fence shall be a minimum of six feet tall.
 - c. A landscape plan that meet the standard of Section 22.16 of the Land Use Ordinance and includes fast growing, evergreen, drought-tolerant, large shrubs and trees and 20 replacement oak trees along the perimeter of the site. The landscape plan shall show the location of replacement oak trees. The average distance between plantings shall be no closer than 20 feet and placed in locations that will ensure long-term success and avoid competition with other landscape elements/plantings. These plans shall be approved by the County Planning Department.

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used

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3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated March 23, 2005 including the provision that non-combustible fencing and siding must be used.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

7. **Prior to issuance of a construction permit**, the applicant shall submit a condition compliance package that includes how the applicant has met each condition necessary for issuance of a construction permit and verification that each condition has been met.

Fees

8. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Mitigations

9. **Prior to issuance of grading and construction permits**, the following notes shall be shown on applicable plans: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures:
 - a. Reduce the amount of disturbed area where possible;
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - c. All dirt stock-pile areas should be sprayed daily as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
 - f. All paving shall be completed as soon as possible after grading;

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- g. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment leaving the site shall be washed off;
 - h. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads, and water sweepers with reclaimed water shall be used where feasible.
 - i. All PM10 mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
10. **Prior to issuance of construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:
- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of nine acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.
- This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program. The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy" would total \$22,500, based on \$2,500 per acre. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase nine credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

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At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of nine acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity> the department can provide a draft agreement to review: A SIGNED mitigation Agreement shall be submitted to the County prior to tCounty permit issuance and initiation of any ground disturbing activities.

11. **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

a. **Prior to issuance of construction permits**, and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diskings, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the conditions to be completed prior to occupancy or final building inspection establishment of the use biologist shall submit weekly monitoring reports to the County.

c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

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In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.
12. **Prior to issuance construction permits**, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.
13. **Prior to issuance of construction permits**, and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
14. **Prior to issuance of construction permits**, a cost estimate for a oak tree planting plan, installation of new trees, and maintenance of new trees for a period of seven years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. **Prior to issuance of construction permits**, the applicant shall post a performance bond, equal to the cost estimate.
15. **Prior to issuance of construction permits**, the applicant, and any successor-in-interest, agrees to pay \$825 for each oak tree removed and \$425 for each oak tree impacted in addition to the on-site replanting requirements. Based on these factors, the amount totals \$4,125. A receipt in this amount, from a county-approved entity/program, or the Oak Woodlands Conservation Fund (as established under subdivision (a) of Section 1363 of the Fish and Game Code) shall be submitted to the County prior to

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issuance of a construction permit. If a County oak tree mitigation program is established prior to permit issuance, participation in the mitigation program will replace this condition.

16. **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance Section 22.52.090, and shall include best management practices (BMPs), and pollution prevention measures to insure hydrocarbons do not leave the site and shall be approved by the Planning and Building Department in consultation with the Public Works Department.
17. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan and calculation prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance Section 22.52.080, and shall include best management practices (BMPs), and pollution prevention measures and shall be approved by the Planning and Building Department in consultation with the Public Works Department.
18. **Prior to issuance of construction permits**, the applicant shall submit a copy of a Stormwater Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board (RWQCB) and/or State Water Resources Control Board (SWRCB).
19. Prior to permit issuance and initiation of any ground disturbing activities, the requirements of conditions 9-14 and 20-26 shall be clearly delineated on project plans.

Conditions to be completed during site disturbance and/or construction activities

20. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
21. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
22. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

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23. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
24. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
25. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason
(805) 781-5029

26. Prior to commencement of any tree removal, to avoid conflicts with nesting raptors, construction activities shall not be allowed during the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to (optional - the CDFG and) the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

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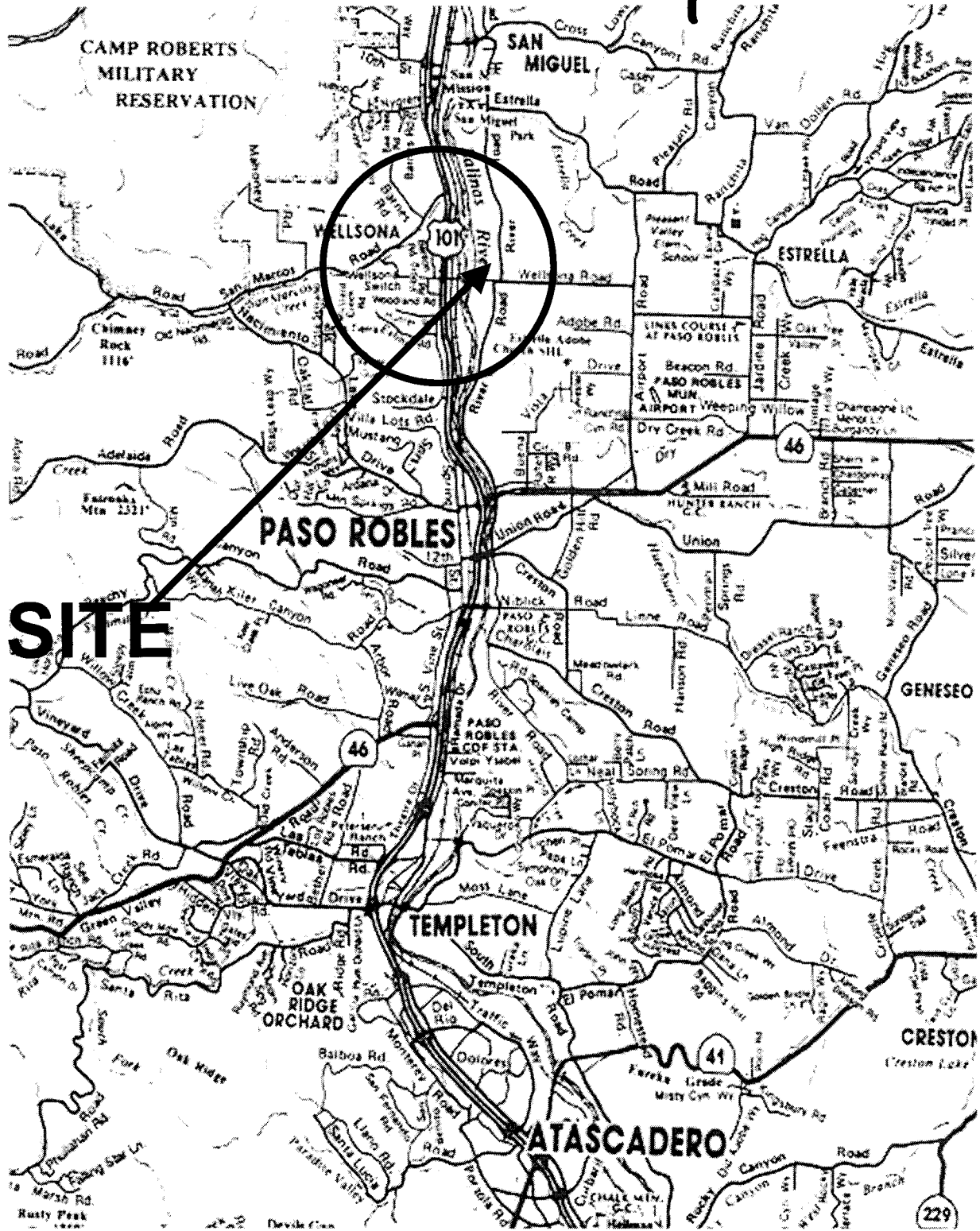
Conditions to be completed prior to final of a construction permit

27. **Prior to final inspection**, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
28. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
29. **Prior to final inspection**, the applicant shall contact the Department of Planning Department to inspect the approved landscape that includes fast growing, evergreen, drought-tolerant, large shrubs and trees and irrigation along the perimeter of the site shall be installed.
30. **Prior to final inspection**, the applicant shall contact the Department of Planning to inspect the approved exterior lighting, which includes the height, location, and intensity of all exterior lighting with all lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored shall be installed.
31. **Prior to final inspection**, the applicant shall contact the Department of Planning to inspect the approved fencing plan showing the use of solid dark brown or green metal fencing along the perimeter of the project site. The fence shall be a minimum of six feet tall.
32. **Prior to final inspection**, the applicant shall replace, in kind at a 4:1 ratio all valley oak trees removed as a result of the development of the project. No more than five valley oak trees shall be removed as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

On-going conditions of approval (valid for the life of the project)

33. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
34. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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PROJECT

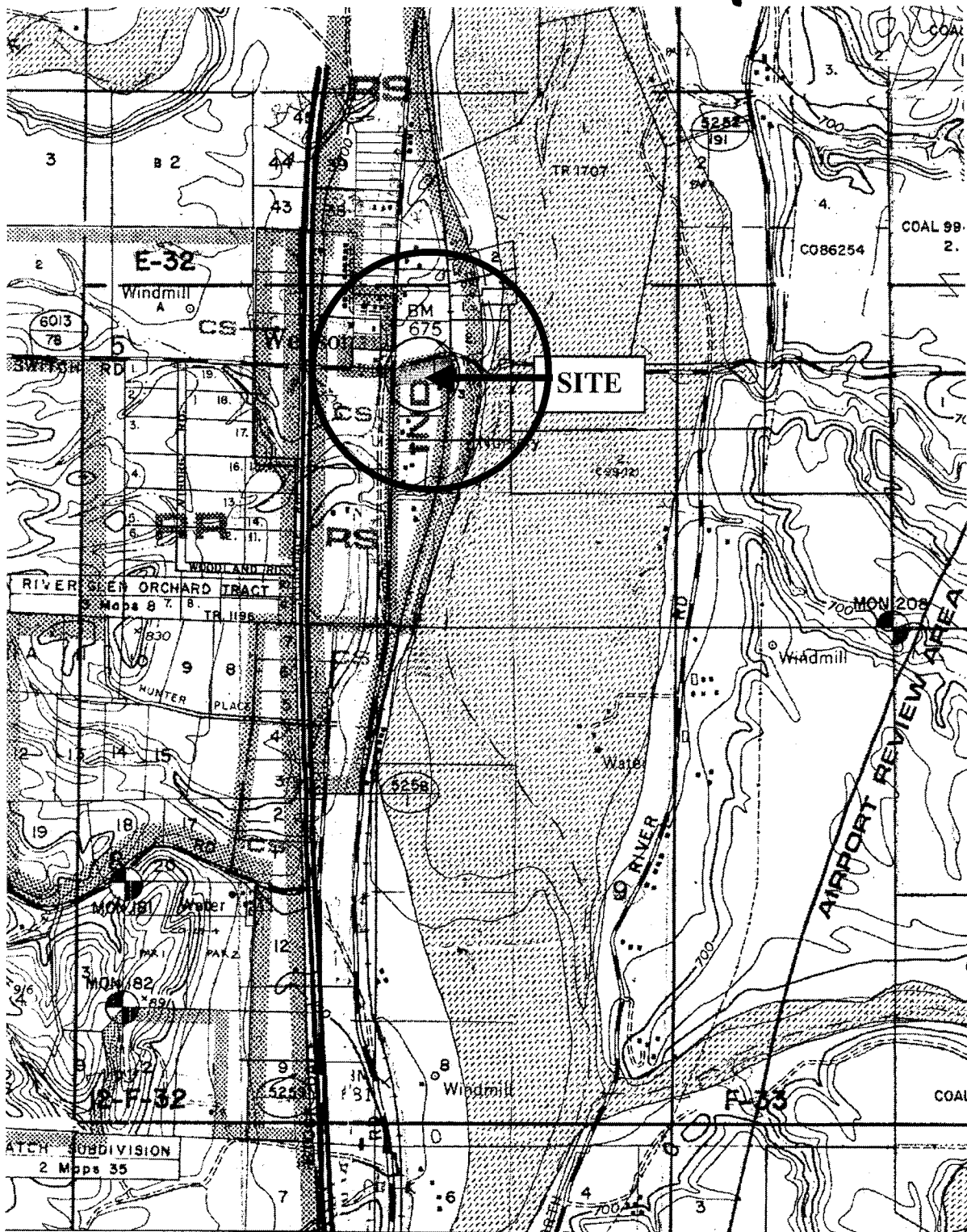
Conditional Use Permit
Marsden DRC2004-00110



EXHIBIT

Vicinity Map

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PROJECT

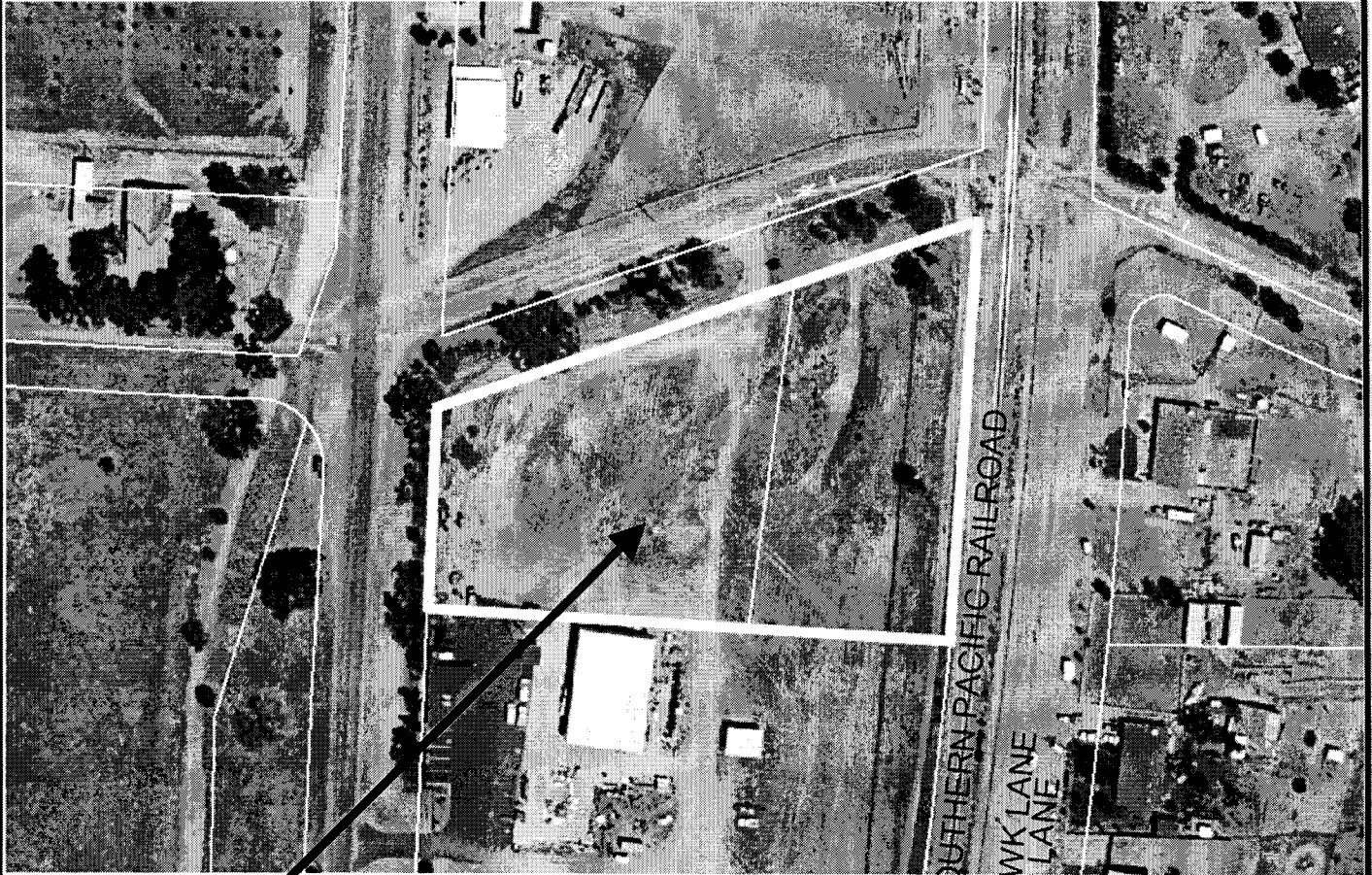
Conditional Use Permit
Marsden DRC2004-00110



EXHIBIT

Land Use Category Map

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SITE

PROJECT

Conditional Use Permit
Marsden DRC2004-00110

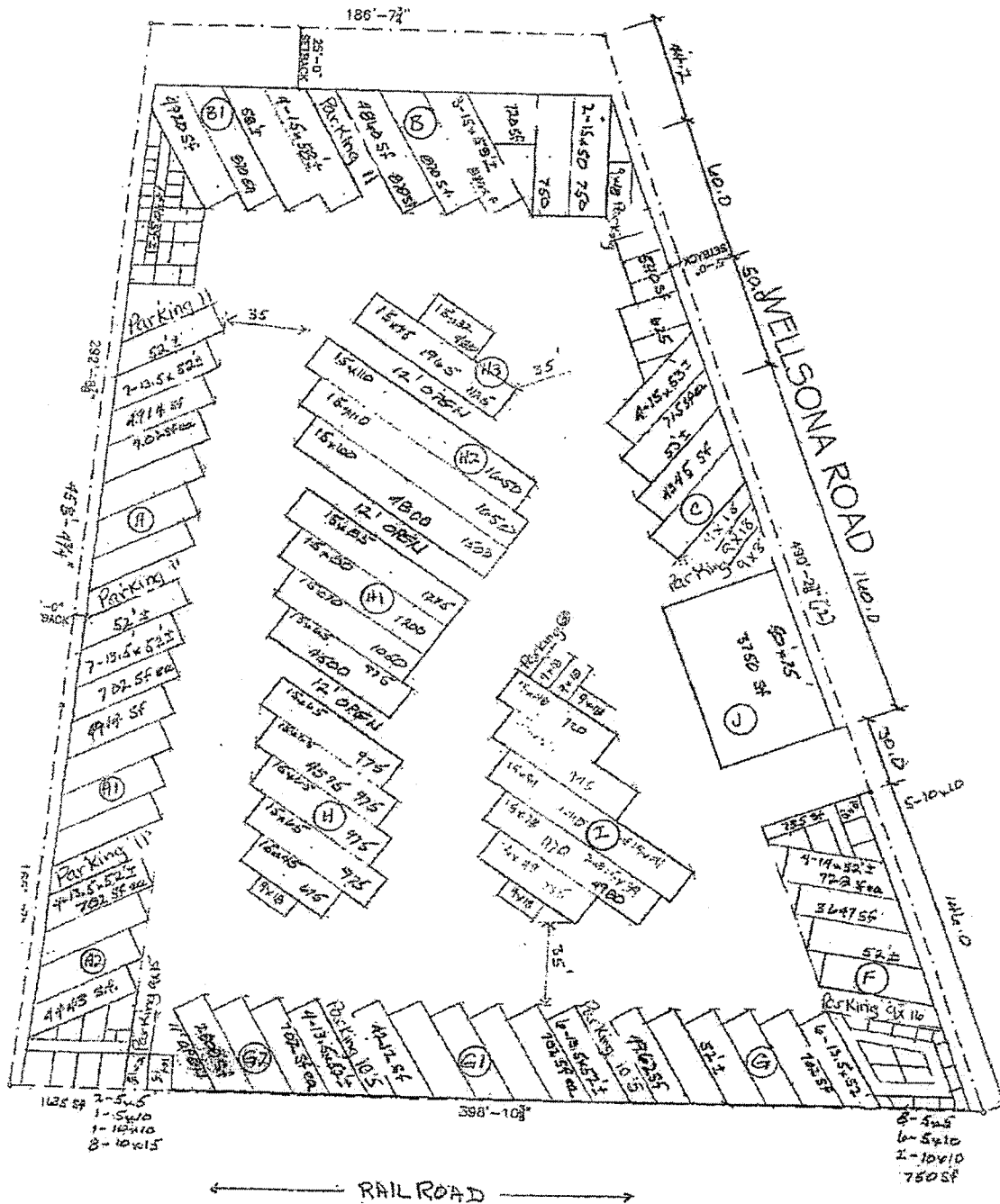


EXHIBIT

Aerial Photograph

MONTEREY ROAD

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PROJECT

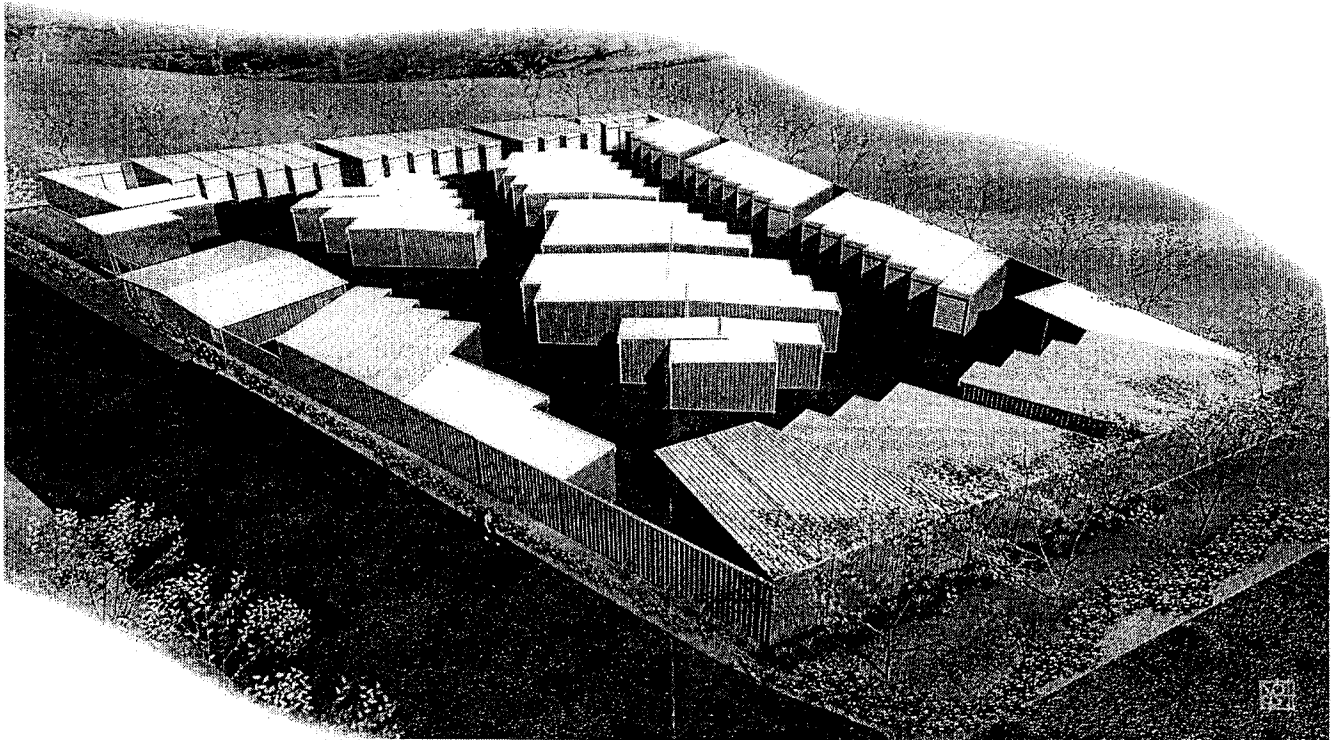
Conditional Use Permit
Marsden DRC2004-00110



EXHIBIT

Floor Plans

7-18



PROJECT

Conditional Use Permit
Marsden DRC2004-00110



EXHIBIT

Floor Plans



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CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

August 4, 2005

Jeff Marsden, Owner
1895 Laguna Del Campo
Temelton, CA 934656

Subject: Reduced Set Back, Project # DRC 2004-00110, Marsden Storage

Dear Mr. Marsden,

We have reviewed your request for a reduced set back from the required 30 feet for parcels over 1 acre in size. CDF/San Luis Obispo County Fire Department only allows a reduced set back less than the required 30 feet when the applicant can prove that they will still be able to maintain an effective fire break of 30 to 100 feet from the structures, including that area beyond the property line. This is accomplished through an easement, a permanent road or improvement on the other side of the property line or by some other means acceptable to the Fire Chief. The code requires:

The person controlling the land to maintain an effective fire break by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet to 100 feet of such buildings or structures. (CFC Appendix II-A)

The County will not allow a reduced set back of less than 10% of the lot width of the parcel regardless of whether the above can be shown. After reviewing the request, we can support your request for a reduced setback of 5 feet from the closest property line; however, the Department of Planning and Building will make the final determination of the setback that is acceptable for this project. You must use non-combustible fencing and siding.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Robert Lewin, Fire Marshal
Battalion Chief

cc:



1-20 6
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11/24/04
FROM: PW
FROM: Noah Co Team
(Please direct response to the above)

MARSDEN
DRC 2004-00110
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: RV Storage. CUP/Dev. Plan. 60,000 sq. ft.
lot w/ 14 bldgs. Each RV will have an enclosed
unit. Lot will have gravel & will be fenced. Corner of
Monterey & Wellsona. APN: 027-321-024 & 025

Return this letter with your comments attached no later than: 12/9/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which
we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF
REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to
reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of
approval you recommend to be incorporated into the project's approval, or state reasons for
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval — DRAINAGE PLAN & CALC'S NEEDED —
IF CALC'S INDICATE THE NEED FOR A DRAINAGE PLAN, ONE SHALL
be provided.

16 Dec 2004
Date

Gardner
Name

5252
Phone

EK

RECEIVED

MAR 25 2005

SLO CO PLANNING & BLDG.

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CDF/San Luis Obispo County Fire Department

635 North Santa Rosa Street • San Luis Obispo • California • 93405
Phone: 805-543-4244 • Fax: 805-543-4248

March 23rd, 2005

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA. 93405

Subject: DRC2004-00110 (Marsden)

North County team members,

I have reviewed the referral information submitted for the proposed recreational vehicle storage facility project located at the corner of Wellsona and Monterey Road near Paso Robles, CA. The project is within a **"Moderate"** fire severity zone with a **10** minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2001 California Fire Code (CFC), the 2001 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws.

Roof Coverings:

The roof type will have to be consistent with the requirements of Table 15A of the 2001 CBC and no less than a **Class "B"** roof.

Roof Access:

- All buildings over 18 feet in height will have fixed laddering at two exterior remote locations or provide landscaping which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof.
- Buildings must have a protected stairway access to the roof if the building is over 25 feet in height and the building is over 5,000 square feet in area. The stairwell must be accessible from the exterior of the building and at a location approved by the Fire Department. A permanently attached sign must be posted stating "Roof Access".
 - Exception: Roof access is not required if the roof has a slope steeper than 4 units vertical and 12 units horizontal (33%).
- Buildings over 20,000 square feet in area and over 18 feet in height will have a dry or wet 2-1/2 inch standpipe system which includes a 2-1/2 inch outlet on the roof near the roof access in an approved location. The standpipe fire department connection (FDC) must be labeled and located at a fire department approved location.

7-22

- All buildings that are greater than 12,000 square feet in area and that will be used for high piled storage, and buildings of undetermined use capable of high piled storage, will be required to have a smoke and heat removal system as required in Table 81A and Table 81-B of the California Fire Code, for Commodity Classifications I-IV.
- Sprinkler systems in buildings that have an undetermined use will require an automatic sprinkler system with a density of no less than that required for an Ordinary Hazard Group 2 use with a minimum design area of 3,000 square feet. For buildings of undetermined use with ceiling heights of over 20 feet, the system shall be designed for density of 0.33 gpm per square foot with a minimum design area of 3,000 square feet.

Fire Flow Requirements:

Must comply with the requirements outlined in the Water Supply Standard which is available on the website, www.cdfslo.org on the permits page. The project will be required to provide a minimum of 30,000 gallons of water in storage for fire fighting purposes. All tanks shall be connected so that they gravity drain to the “draft hydrants”.

Water Supply Connection:

Fire hydrants are to be located as outlined in Appendix III B of the CFC. Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

CDF/San Luis Obispo County Fire Department will accept a residential fire connection or “draft hydrant” in place of a pressurized fire hydrant system for this project. Several hydrants shall be required on site to sufficiently cover the entire project. The County Fire Department will assist the applicant or developer with proper placement of these hydrants.

Fire Protection Systems:

A Fire Alarm System is required as outlined in CBC 310.10 for all buildings over 2000 sq. ft. The alarm system shall terminate at a 24-hour monitoring point (CFC 1003.1). Two sets of plans shall be submitted to the County Fire Department for approval.

Technical Report:

A Fire Protection Engineer shall review the Fire Protection Systems for this project (CFC 103.1.1). A list of Fire Protection Engineers is available on our website at <http://www.cdfslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

Portable Fire Extinguishers:

Portable fire extinguishers shall be installed in all the occupancies in compliance with the CFC 1002 and Standards 10-1. The contractor shall be licensed by the State Fire Marshal.

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Exiting:

All egress and exiting requirements shall comply with the California Building Code to provide egress from the building to the public way.

Building Set Backs:

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section 1276.01.

Note: Setbacks are subject to County Planning Department approval.

Defensible Space and Construction Type:

Each building site will be built with a "Defensible Space". PRC 4291 requires all structures to have a 30 to 100 feet clearance of flammable vegetation. This does not mean all vegetation must be removed but that the vegetation shall not provide a means of readily transmitting fire. Building sites should be located so that the structure is not directly above or below a topographic "chimney." The construction type should be designed to withstand a wildfire. This would include a class A roof, unexposed venting, fire resistant exterior walls, unexposed rafters, windows appropriately placed, LPG tanks properly placed, fire resistive decks and balconies, and other fire resistive construction techniques. All landscaping should be of fire resistive plants, preferably natives. **A Wildland Fire/Vegetation Management Plan must be developed and approved by CDF.**

Commercial Access Road:

- A commercial access road must be 20 feet wide for two way traffic.
- A commercial access road must be 16 feet wide for one way traffic (only allowed in limited circumstances).
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the California Fire Code Section 902.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a 20 ton fire engine.
- Vertical clearance of 13'6" is required (See Exhibit 5).

Gates:

- Must be setback from the road 30 feet from the intersection.
- Must automatically open with no special knowledge.
- Must have a KNOX key box for fire department access.
- Gate must have battery back up.
- Gate must be 2 feet wider than the road on each side.
- Gates must have a turnaround located at each gate.

Addressing:

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 5 inches high with a ½" stroke. All occupancies shall have a distinct address. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility. CFC 901.4.4.

7.24

Fire Safety during Construction:

Prior to construction, an operational water supply system and established access roads must be installed. CFC Section 902 & 903. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

If I can provide additional information or assistance on this matter please don't hesitate to contact me at (805)543-4244.

Sincerely,


Clinton I. Bullard
Fire Inspector

cc: J. Marsden, Applicant



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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (EK)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-460

DATE: July 14, 2005

PROJECT/ENTITLEMENT: Marsden Conditional Use Permit DRC2004-00110

APPLICANT NAME: Jeff Marsden

ADDRESS: 1895 Laguna Del Campo, Templeton, CA, 93465

CONTACT PERSON: Same as applicant

Telephone: 805-895-6626

PROPOSED USES/INTENT: Request by Jeff Marsden for a Conditional Use Permit to allow for a 131,000-square foot recreational vehicle (RV) and personal property storage facility that includes 68,397 square feet of enclosed storage units, one 3,750-square foot office, and fifteen parking spaces. The project will result in the disturbance of the entire 3.0-acre parcel.

LOCATION: On the southeastern corner of Monterey Road and Wellsona Road, approximately 600 feet east of Highway 101, north of the City of Paso Robles. The site is in the Salinas River planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Game
, Regional Water Quality Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on March 10, 2005

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☒ Lead Agency

☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Signature

Project Manager Name

Date

County of San Luis Obispo

Public Agency



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San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: June 6, 2005

County: San Luis Obispo

Project No. DRC2004-00110

Project Title: Marsden Conditional Use Permit

Project Applicant

Name: Jeff Marsden

Address: 1895 Laguna Del Campo

City, State, Zip Code: Templeton, CA, 93465

Telephone #: 805-895-6626

Please remit the following amount to the **County Clerk-Recorder:**

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ <u>25.00</u>

Total amount due: \$1250

AMOUNT ENCLOSED: _____

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.



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COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Marsden Conditional Use Permit; DRC2004-00110

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morpo Group, INC.
Prepared by (Print)

Shawn Scott
Signature

07/01/05
Date

John McKenzie
Reviewed by (Print)

John McKenzie
Signature

Ellen Carroll,
Environmental Coordinator
(for)

7/7/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Jeff Marsden for a Conditional Use Permit to allow for a 131,000-square foot recreational vehicle (RV) and personal property storage facility that includes 68,397 square feet of enclosed storage units, one 3,750-square foot office, and fifteen parking spaces. The project will result in the disturbance of the entire 3.0-acre parcel. The proposed project is within the Industrial land use category and is located on the southeastern corner of Monterey Road and Wellsona Road, approximately 600 feet east of Highway 101, north of the City of Paso Robles. The site is in the Salinas River planning area.

ASSESSOR PARCEL NUMBER: 027-321-024, and 025

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, Rural

LAND USE CATEGORY: Industrial

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Undeveloped

TOPOGRAPHY: Gently sloping

VEGETATION: Grasses, forbs, valley oak trees, eucalyptus trees

PARCEL SIZE: 3.0 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Suburban; mixed use residential and storage	<i>East:</i> Residential Suburban; UPRR, daycare facility, residences, accessory agriculture
<i>South:</i> Industrial; electric services facility	<i>West:</i> Commercial Service; Monterey Road, undeveloped

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on the east side of Monterey Road, approximately 600 feet east of Highway 101 (refer to Figures 1 through 3). The project site is located outside of the Highway Corridor Design area. The surrounding area is characterized by gently rolling hillsides, the Salinas River and associated floodplain, grasses, scrub, scattered oak trees, and eucalyptus trees. Surrounding land uses are mixed, and include storage and industrial facilities, residences, accessory uses, and the Union Pacific Railroad. Residences and accessory agricultural uses are located on the east side of the railroad.

The Highway 101 roadway is located approximately 600 feet west of the project site, at an elevation approximately 20 to 40 feet above the project site. The landform between the highway and the project site slopes up to the east in a gentle ridgeline, then slopes down towards Monterey Road and the project site, forming a natural visual buffer. The project site is visible from Monterey Road and Wellsona Roads, both local roads providing frontage access to scattered residences, commercial, and industrial development between the highway and the river.

Impact. The applicant is proposing to construct a 131,000-square foot storage facility, including thirteen storage structures approximately 3,000 to 5,000-square feet in size (totaling 68,397 square feet), a 3,750-square foot office, and parking. Each structure would provide enclosed storage, and the proposed units range in size from "mini" (500 square feet) to recreational vehicle storage (900 square feet). The structures would be approximately 18 feet tall, and would be constructed of blue metal siding and gray metal roofing.

Section 22.30.560 of the County Land Use Ordinance requires that all storage yards shall be screened from public view on all sides by solid wood, painted metal or masonry fencing. The

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applicant is proposing to construct a solid blue metal fence and landscaping along the perimeter of the parcel (refer to Figures 4 and 5). Proposed landscaping includes white alders, gorilla hair, ocean spray, and mulch. White alders are not evergreen trees; therefore, the proposed landscape plan shall be revised to include evergreen trees and shrubs. Additional improvements, including security lighting, would be located on the property. The applicant is required to comply with Section 22.10.060 of the County Land Use Ordinance, which requires shielding of all exterior lighting to minimize unnecessary offsite glare.

Based on the proposed site location and intervening topography, the proposed facility would not be visible to travelers on Highway 101. Due to the existing mixed use and industrial character of the Wellsona Road and Monterey Road area, development of the facility would not significantly alter the visual character of the area. The proposed blue fencing would not blend with the surrounding landscape.

Mitigation/Conclusion. The applicant has agreed to install solid dark brown or green fencing in lieu of blue fencing along the perimeter of the project site. In addition, the applicant has agreed to submit a final landscape plan showing the use of drought-tolerant, fast growing, evergreen trees and shrubs. Implementation of these measures would ensure that visual impacts are less than significant.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting The project site is located within the Industrial land use category. Surrounding agricultural resources are limited to accessory horse stables located adjacent to residences east of the project site, across the railroad. The soil types mapped for the project site by the Natural Resources Conservation Service (NRCS) are Hanford and Greenfield fine sandy loams (0 to 2 percent slopes) and Hanford and Greenfield gravelly sandy loams (0 to 2 percent slopes). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV" and the "irrigated" soil class is "I to II".

Impact. The project site is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

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3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). The nearest residence is located approximately 150 feet to the east, across the railroad tracks.

Impact. As proposed, the project will result in the disturbance of approximately 131,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. Based on the proposed area of disturbance, dust would be generated during proposed grading activities, potentially creating a nuisance for adjacent land uses.

Mitigation/Conclusion. Due to the close proximity of residences, the applicant has agreed to incorporate standard APCD dust mitigation measures into the proposed project during the grading and construction phases to minimize the potential for a dust nuisance. These measures include using water trucks to spray down dust and soil stockpiles, installing wheel washers, and stabilizing disturbed soils (refer to Exhibit B for a complete list). Implementation of these measures would mitigate potential air quality impacts to less than significant.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is an undeveloped parcel supporting grasses, forbs, scattered valley oak trees, and eucalyptus trees. No evidence of wetlands or riparian vegetation is present onsite.

Special-status Species. The project site is located within the Carrizo vernal pool region, within an area known for vernal pool habitat as determined by aerial survey mapping by the U.S. Fish and Wildlife Service; however, no evidence of vernal pools or areas of standing water were observed onsite. The project site is located within an area designated as a critical habitat for the vernal pool fairy shrimp (*Branchinecta lynchi*), a Federally Threatened species; however, habitat for this species is not present onsite. In addition, the project site is within the habitat range of the San Joaquin kit fox (*Vulpes macrotis mutica*), a State Threatened and Federally Endangered species. The California Natural Diversity Database (2005) did not identify any special status plant species on the project site or in the immediate vicinity.

Native or Important Vegetation. Five valley oak trees (*Quercus lobata*) are located on the project site.

Wildlife Activities. The mature trees on the project site provide potential habitat for nesting birds, which are protected by California Fish and Game Code Section 3500-3516.

Impact.

Special-status Species. Based on the results of previous Kit Fox Habitat Evaluations that have been conducted for the Wellsona area, the standard mitigation ratio for projects on parcels less than 40 acres in size has been established as 3:1. This means that all impacts to kit fox habitat must be mitigated at a ratio of three acres conserved for each acre impacted (3:1). The project will result in the permanent disturbance of three acres of kit fox habitat. Applicants have the option of hiring a qualified biologist to conduct a Kit Fox Habitat Evaluation of the project site if the applicant believes that the evaluation would lower the score and reduce the required mitigation ratio. However, the applicant has chosen to accept the standard mitigation ratio of (3:1), which requires that a total compensatory acreage of nine acres (three acres multiplied by a 3:1 ratio) be mitigated.

Native or Important Vegetation. Implementation of the proposed project would result in the removal of five valley oak trees.

Sensitive Wildlife Species. Nesting birds may be disturbed or harmed by tree removal, grading activities, disruptive construction equipment noise, and increased human activity near nesting areas, resulting in a potentially significant impact.

Mitigation/Conclusion.

Special-status Species. The applicant will be required to mitigate the loss of three acres of kit fox habitat by one of the following ways: Deposit of funds to an approved in-lieu fee program; provide for

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the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or purchase credits in an approved conservation bank. At this time, there is no approved Conservation Bank that is operational in San Luis Obispo County. If none of the other three alternatives are available, the applicant may enter into a Mitigation Agreement with the Department of Fish and Game, including depositing funds into an escrow account (or other means of securing funds acceptable to the Department) which would assure the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management. To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

Native or Important Vegetation. The applicant has agreed to plant twenty valley oak trees onsite to mitigate for the loss of five valley oak trees. In addition to replanting of oaks, SB1334 requires that either a fee be paid into an oak preservation/restoration fund or provide for a conservation easement. The County is currently in the process of developing a standardized process in which to provide for these alternatives (refer to Exhibit B).

Wildlife. If tree removal occurs during the nesting bird season (March 1 through August 1), the applicant has agreed to retain a County-approved biologist to conduct a nesting bird survey prior to tree removal. If nesting birds are found, tree removal shall be postponed until the birds have fledged and left the nest. In addition, the biologist would determine if any construction activities could occur during the nesting period and to what extent.

Based on implementation of these measures, impacts to biological resources would be less than significant.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in an area historically occupied by the Obispeño Chumash and Southern Salinan. Significant archaeological deposits have been discovered in the vicinity of the Salinas River. The applicant submitted a Phase I archaeological survey report (Gibson's Archaeological Consulting; January 18, 2005). Based on the results of the report, no historical or archaeological deposits were observed onsite, and based on the disturbed nature of the site it is unlikely that any resources are present. In addition, no historical structures are present and no paleontological resources are known to exist in the immediate area.

Mitigation/Conclusion. Based on the lack of features typically associated with paleontological resources and lack of noted cultural resources onsite, it is unlikely that significant cultural resources are present. Section 22.10.04 of the County Land Use Ordinance includes a requirement that if cultural resources are encountered during construction, work shall stop until reviewed and cleared by a qualified archaeologist and the County. No additional mitigation is necessary.

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6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the site is gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock.

Drainage. The Salinas River is located approximately 800 feet east of the project site. The project site and the river are separated by the railroad tracks and development. The area proposed for development is outside the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, these soils onsite are moderately well drained.

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Sedimentation and Erosion. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility and low shrink-swell potential. The applicant proposes to grade approximately three acres during development of the proposed project. Erosion of graded areas and discharge of sediment down gradient would likely result if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading during the construction phase of the project. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

Mitigation/Conclusion. To mitigate for impacts resulting from erosion and down-gradient sedimentation, the applicant has agreed to submit an erosion and sedimentation plan and Stormwater Pollution Prevention Plan including both temporary and permanent erosion control and best management practices to prevent sediment and any other pollutants from entering the Salinas River. Implementation of required standards, the County-approved erosion and sediment control plan and implementation of a Stormwater Pollution Prevention Plan (refer to Section 14) would mitigate geology and soils impacts to a level of insignificance.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is currently undeveloped. Adjacent land uses include an electric services facility to the south, Wellsona Road, a residence and storage facility to the north, and the UPRR, residences, and a daycare center. The proposed project site is located within a moderate fire hazard area. The project site is not located within an Airport Review Area.

Impact. The proposed storage facility would be entirely enclosed, and would permit the storage of recreational vehicles (RVs) and personal property. No hazardous or flammable materials would be permitted for storage. The project is not expected to conflict with any regional evacuation plan.

The proposed project was referred to the California Department of Forestry/County Fire Department (CDF) for review. In addition to standard fire safety requirements (i.e., access, vegetation clearance,

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sprinkler systems, fire extinguishers, and fire water storage), the applicant is required to comply with the *Uniform Fire Code* and *2001 California Building Code* (Clinton Bullard; March 23, 2005).

Mitigation/Conclusion. Based on compliance with existing ordinances and regulations, hazards and hazardous materials impacts would be less than significant.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Noise Exposure. The proposed project site is located approximately 600 feet east of Highway 101, and adjacent to the Union Pacific Railroad. The highway is the primary source of transportation-related noise in the area. The project site is located within the 60 to 65 Ldn noise contour for the highway, and the eastern portion of the project site is located within the 65 Ldn noise contour for the railroad. According to the *County Noise Element*, the land use designation and uses proposed by the conditional use permit are not noise-sensitive land uses, and are not subject to transportation-related noise thresholds (May 5, 1992).

Noise Generation. The proposed project site is surrounded on two sides by land utilized primarily for industrial use and storage. Residential zoning is located to the north and east. The closest residence is located approximately 150 feet to the east (on the opposite side of the railroad tracks), and one residence is located approximately 220 feet to the north. Operation of the facility is expected to generate eight average daily trips, which would not generate a significant level of trip-generating noise affecting existing residences. No outdoor loudspeakers are proposed and the storage of vehicles is not considered a noise generating use.

Mitigation/Conclusion. No significant noise impacts were identified; therefore no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located on a parcel within the Industrial land use category. No housing is present on or in the immediate vicinity of the project site. Implementation of the proposed project would not induce growth, displace existing housing or people, create the need for new housing in the area, or use a substantial amount of fuel or energy to construct and operate.

Mitigation/Conclusion. Based on the above discussion, no significant population and housing impacts are expected to occur as a result of the proposed project.

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The California Department of Forestry/County Fire (CDF) and County Sheriff serve the proposed project site as emergency responders. The closest CDF fire station is the Paso Robles S2 station, located approximately six miles from the proposed project site. The closest Sheriff substation is in Templeton located approximately eight miles from the proposed project. The California Highway Patrol also patrols Highway 101. The project site is located within the Paso Robles Unified School District.

Impact. This proposed project, along with numerous others in the area would have a cumulative effect on police/sheriff and fire protection. The project's direct and cumulative impacts are within the general assumptions of allowed use for the property that was used to estimate the fees in place.

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Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan does not show a future trail being considered on the proposed project site. Implementation of the proposed project would not increase the use or demand for parks or other recreation opportunities or affect access to recreational resources.

Mitigation/Conclusion. No mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablei) *Other* _____☐☐☒☐

Setting. The proposed project site would be accessed from Wellsona Road and Monterey Road, two-lane collectors serving adjacent commercial service and industrial development and scattered residential development. These roads are currently operating at an acceptable level of service. Approximately 80 percent of traffic is expected to access the site from the Wellsona Road and Highway 101 intersection, which currently includes left turn deceleration/storage lanes on the northbound and southbound highway approaches and left turn acceleration lanes in the median of Highway 101. A right-turn deceleration lane is currently provided on the northbound Highway 101 approach to Wellsona Road and an acceleration lane for right turn movements from westbound Wellsona Road to northbound Highway 101.

Impact. The applicant submitted a traffic analysis prepared by McCarthy Engineering, Inc. (December 4, 2004). The traffic analysis determined that the proposed project would generate approximately eight average daily trips, including two peak hour trips. Based on the results of the traffic study, the additional trips would have a less than significant effect on existing roadways, and would not reduce the level of service. The proposed project was referred to the County Public Works Department. The Department did not identify any significant impacts (Mike Goodwin; December 16, 2004).

Mitigation/Conclusion. Based on the proposed project location, existing and projected acceptable level of service and capacity of local roads, and the referral response from the Department of Public Works, traffic and circulation impacts resulting from the proposed project would be less than significant, and no mitigation measures are required.

13. WASTEWATER - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*☐☐☒☐b) *Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?*☐☐☒☐c) *Adversely affect community wastewater service provider?*☐☐☐☒d) *Other* _____☐☐☐☐

Setting/Impact. The applicant is proposing a standard septic system and leachfield to handle wastewater effluent. Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Arbuckle fine sandy loam (0-2%). For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch); the topography on

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which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet. Based on the NRCS Soil Survey, there are no limitations for these soil types for wastewater effluent.

Mitigation/Conclusion. No significant wastewater impacts were identified, and no mitigation measures are necessary above what is already required.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Water Quality. The nearest source of surface water is the Salinas River located approximately 800 feet east of the project site. Based on the Annual Resource Summary Report (2004), an increase in sediment was observed in the Salinas River near San Miguel, which is north of the project site. The Salinas River flows northwest, and drains into the Pacific Ocean near Monterey. Implementation of the proposed project has the potential to cause erosion and down-gradient sedimentation, potentially affecting the Salinas River. The applicant is proposing to disturb over one acre of area, therefore a Storm Water Pollution Prevention Plan (SWPPP) is required by the State Water Resources Control Board (SWRCB). The SWPPP must include measures to retain soil onsite, and avoid offsite sedimentation, in addition to the erosion and sedimentation control plan required by the County Land Use Ordinance. The proposed storage units would be enclosed, which would minimize incidental uncontrolled oil or fuel leaks; however, based on the intended use of the facility, there is a potential for accidental fuel or oil discharge offsite.

Water Supply. The applicant is proposing to use an on-site well for water supply. The applicant proposes drip irrigation for perimeter landscaping. The water source for this well is the Paso Robles Groundwater Basin. According to the *Annual Resource Summary Report* (2004), water levels have declined along the Highway 46 corridor east of Paso Robles, likely due to increased pumping associated with the development of rural ranchettes, vineyards, and golf courses (2004). The report does not recommend a level of severity at this time, and an update report is currently underway.

Mitigation/Conclusion. To minimize the potential for offsite surface water contamination, the applicant has agreed to submit a drainage plan showing the use hydrocarbon filters on all drain inlets. This measure, in addition to implementation of an erosion and sedimentation control plan, as

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discussed in section 6 of this document, and implementation of a SWPPP would mitigate potential water quality impacts to a level of insignificance.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Salinas River Area Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, Public Works for traffic, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses, as conditioned, as summarized on page 2 of this Initial Study because it will be a RV and personal property storage facility on property in the Industrial land use category.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when</i>				

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viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)

☐☒☐☐

- c) ***Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Parks and Recreation Division	Not Applicable
<input type="checkbox"/>	County Assessor Department	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Department of Conservation	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Game	Pers. Comm. (January 25, 2005)
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	No Response
<input checked="" type="checkbox"/>	City of Paso Robles	No Response

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Gibson's Archaeological Consulting. January 18, 2005. *Results of Records Review and Phase One Archaeological Surface Survey.*

McCarthy Engineering, Inc. December 4, 2004. *Traffic Impact Study Trip Generation and Distribution Report.*

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Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 Prior to issuance of construction permits**, the applicant shall submit a revised fencing plan showing the use of solid dark brown or green metal fencing along the perimeter of the project site. The fence shall be a minimum of six feet tall. The approved fencing plan shall be implemented **prior to final inspection**.
- V-2 Prior to issuance of construction permits**, the applicant shall submit a final landscape plan showing the planting of fast growing, evergreen, drought-tolerant, large shrubs and trees. The approved plan shall be implemented prior to final inspection.

Air Quality

- AQ-1 Prior to issuance of grading and construction permits**, the following notes shall be shown on applicable plans: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures:
- Reduce the amount of disturbed area where possible;
 - Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - All dirt stock-pile areas should be sprayed daily as needed;
 - Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
 - All paving shall be completed as soon as possible after grading;
 - Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment leaving the site shall be washed off;
 - Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads, and water sweepers with reclaimed water shall be used where feasible;
 - All PM10 mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Biological Resources

San Joaquin Kit Fox

The project Marsden Conditional Use Permit (DRC2004-00110) would impact three acres of San Joaquin kit fox habitat. Based on the results of previous Kit Fox Habitat Evaluations that have been conducted for the Wellsona area, the standard mitigation ratio for projects on parcels less than 40 acres in size has been established as 3:1. This means that for every acre of disturbance resulting from project activities (e.g. pad for buildings, access roads, leach fields etc.), the applicant would be required to mitigate a total of three acres of habitat. Applicants have the option of hiring a qualified biologist to conduct a Kit Fox Habitat Evaluation of the project site if the applicant believes that the evaluation would lower the score and reduce the required mitigation ratio. However, the applicant

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has chosen to accept the standard mitigation ratio of 3:1, which requires that a total compensatory acreage of nine acres based on three times three acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of nine acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total \$22,500, based on \$2,500 per acre. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase nine credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of nine acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation

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Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet

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2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-10 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed

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containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason
(805) 781-5029

BR-11 Prior to issuance of construction permits, landscape plans shall show the location of replacement oak trees. The average distance between plantings shall be no closer than 20 feet and placed in locations that will ensure long-term success and avoid competition with other landscape elements/plantings. These plans shall be approved by the County Planning Department.

BR-12 Prior to final inspection, the applicant shall replace, in kind at a 4:1 ratio all valley oak trees removed as a result of the development of the project. No more than five valley oak trees shall be removed as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

BR-13 Prior application for construction permits, a cost estimate for a oak tree planting plan, installation of new trees, and maintenance of new trees for a period of seven years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to issuance of construction permits, a performance bond, equal to the cost estimate, shall be posted by the applicant.

BR-14 The applicant proposes to remove five valley oak trees. Until such time that a county-approved oak tree fee program is in place, the applicant, and any successor-in-interest, agrees to pay \$825 for each oak tree removed and \$425 for each oak tree impacted in addition to the on-site replanting requirements. Based on these factors, the amount totals \$4,125. A receipt in this amount, from a county-approved entity/program, or the Oak Woodlands Conservation Fund (as established under subdivision (a) of Section 1363 of the Fish and Game Code) shall be submitted to the County **prior to issuance of a construction permit**. If a County oak tree mitigation program is established prior to permit issuance, participation in the mitigation program will replace this condition.

BR-15 Prior to commencement of any tree removal, to avoid conflicts with nesting raptors, construction activities shall not be allowed during the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to (optional - the CDFG and) the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

Geology and Soils

GS-1 Prior to issuance of construction permits, the applicant shall submit a sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance Section 22.52.090, and shall include best management practices (BMPs), and pollution prevention measures and shall be approved by the Planning and Building Department in consultation with the Public Works Department.

**DEVELOPER'S STATEMENT FOR THE
MARSDEN CONDITIONAL USE PERMIT; DRC2004-00110**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AESTHETICS

- V-1 Prior to issuance of construction permits,** the applicant shall submit a revised fencing plan showing the use of solid dark brown or green metal fencing along the perimeter of the project site. The fence shall be a minimum of six feet tall. The approved fencing plan shall be implemented **prior to final inspection.**

Monitoring: The County Department of Planning and Building shall verify receipt and approval of materials, and implementation in the field.

- V-2 Prior to issuance of construction permits,** the applicant shall submit a final landscape plan showing the planting of fast growing, evergreen, drought-tolerant, large shrubs and trees. The approved plan shall be implemented **prior to final inspection.**

Monitoring: The County Department of Planning and Building shall verify receipt and approval of required plans, and implementation in the field.

AIR QUALITY

- AQ-1 Prior to issuance of grading and construction permits,** the following notes shall be shown on applicable plans: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures:

- a. Reduce the amount of disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;

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- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
- f. All paving shall be completed as soon as possible after grading;
- g. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment leaving the site shall be washed off;
- h. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads, and water sweepers with reclaimed water shall be used where feasible;
- i. All PM10 mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Monitoring: Compliance shall be verified by the APCD in consultation with the County Department of Planning and Building.

BIOLOGICAL RESOURCES

San Joaquin Kit Fox

The Marsden Conditional Use Permit (DRC2004-00110) would impact three acres of San Joaquin kit fox habitat. Based on the results of previous Kit Fox Habitat Evaluations that have been conducted for the Wellsona area, the standard mitigation ratio for projects on parcels less than 40 acres in size has been established as 3:1. This means that for every acre of disturbance resulting from project activities (e.g. pad for buildings, access roads, leach fields etc.), the applicant would be required to mitigate a total of three acres of habitat. Applicants have the option of hiring a qualified biologist to conduct a Kit Fox Habitat Evaluation of the project site if the applicant believes that the evaluation would lower the score and reduce the required mitigation ratio. However, the applicant has chosen to accept the standard mitigation ratio of 3:1, which requires that a total compensatory acreage of nine acres based on three times three acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information

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below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of nine acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.), requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total \$22,500, based on \$2,500 per acre. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase nine credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of nine acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft

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agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

Monitoring: The Department of Planning and Building shall verify compliance and shall approve mitigation in consultation with the California Department of Fish and Game.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

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In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management shall verify compliance and receipt of pre-construction survey letter and monitoring reports.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-10 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin

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kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- BR-6 During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 During the site-disturbance and/or construction phase,** any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 Prior to, during and after the site-disturbance and/or construction phase,** use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the

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incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

Contact Information

California Department of Fish and Game
Central Coast Region
P.O. Box 47
Yountville, CA 94599
(805) 528-8670
(805) 772-4318

U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura, CA 93003
(805) 644-1766

County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason
(805) 781-5029

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management shall verify compliance and receipt of pre-construction survey letter and monitoring reports.

BR-11 Prior to issuance of construction permits, landscape plans shall show the location of replacement oak trees. The average distance between plantings shall be no closer than 20 feet and placed in locations that will ensure long-term success and avoid competition with other landscape elements/plantings. These plans shall be approved by the County Planning Department.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management shall verify compliance.

BR-12 Prior to final inspection, the applicant shall replace, in kind at a 4:1 ratio all valley oak trees removed as a result of the development of the project. No more than five valley oak trees shall be removed as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

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These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: The Department of Planning and Building shall verify compliance.

BR-13 Prior application for construction permits, a cost estimate for a oak tree planting plan, installation of new trees, and maintenance of new trees for a period of seven years shall be prepared by a qualified individual (e.g., landscape contractor) and shall be reviewed and approved by the County Department of Planning and Building. Prior to issuance of construction permits, a performance bond, equal to the cost estimate, shall be posted by the applicant.

Monitoring: The Department of Planning and Building shall verify compliance and receipt of performance bond.

BR-14 The applicant proposes to remove five valley oak trees. Until such time that a county-approved oak tree fee program is in place, the applicant, and any successor-in-interest, agrees to pay \$825 for each oak tree removed and \$425 for each oak tree impacted in addition to the on-site replanting requirements. Based on these factors, the amount totals \$4,125. A receipt in this amount, from a county-approved entity/program, or the Oak Woodlands Conservation Fund (as established under subdivision (a) of Section 1363 of the Fish and Game Code) shall be submitted to the County prior to issuance of a construction permit. If a County oak tree mitigation program is established prior to permit issuance, participation in the mitigation program will replace this condition.

Monitoring: The Department of Planning and Building shall verify compliance..

BR-15 Prior to commencement of any tree removal, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to (optional - the CDFG and) the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

Environmental Determination: ED04-460Date: July 3, 2005

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Monitoring: The Department of Planning and Building shall verify compliance and receipt of survey report(s).

GEOLOGY AND SOILS

GS-1 Prior to issuance of construction permits, the applicant shall submit a sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance Section 22.52.090, and shall include best management practices (BMPs), and pollution prevention measures and shall be approved by the Planning and Building Department in consultation with the Public Works Department.

Monitoring: The Department of Planning and Building, in consultation with the Department of Public Works shall review and approve all required plans.

WATER

W-1 Prior to issuance of construction permits, the applicant shall submit a copy of a Stormwater Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board (RWQCB) and/or State Water Resources Control Board (SWRCB).

Monitoring: The Department of Planning and Building shall verify receipt of the Stormwater Pollution Prevention Plan (SWPPP).

W-1 Prior to issuance of construction permits, the applicant shall submit a final drainage plan showing the use of hydrocarbon filters on all proposed drainage inlets. The plan shall be implemented prior to final inspection.

Monitoring: The Department of Planning and Building, in consultation with the Department of Public Works shall verify compliance.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)

JEFF MARSDEN

7-5-05